

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

**AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
TUESDAY, AUGUST 23, 2005
9:00 A.M.**

AND

**SPECIAL COUNCIL MEETING/COUNCIL WORK SESSION
COUNCIL/STAFF QUESTION AND ANSWER SESSION
10TH FLOOR, CONFERENCE ROOM
MONDAY, AUGUST 22, 2005
4:00 P.M.**

ROLL CALL

Invocation – Fire Chaplain Ed Sinke
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. EMERGENCY PREPAREDNESS MONTH**
- 2. FIESTA DE LAS FLORES WEEK**

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/city_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA**1. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meetings of July 12, 2005 (Corrected Minutes as per City Attorney's Office), August 2, August 9, and 16, 2005; Special City Council Meetings of August 1, and August 15, 2005 (Agenda Review); and Special City Council Meetings of July 20, and July 21, 2005 (Budget Hearings).

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**3. RESOLUTIONS:**

3A. That the City Manager be authorized to sign a Lease Agreement between the City and La Posada Home, Inc. for the property at 1926-1930 Bassett Avenue to operate a transitional housing program under a Supportive Housing Renewal Grant from the U.S. Department of Housing and Urban Development. The term of this Lease shall be from September 1, 2005, to March 31, 2006. **(Citywide)**
[Community and Human Development, Judy Sarabia, (915) 541-4059]

3B. That the following procedure (Alternative 2) be adopted in concept for an Incentive Review, Analysis and Consideration Process with respect to business prospects for the City of El Paso, as recommended by the Staff of the Economic Development Department and the Legislative Review Committee for Economic and Community Development:
[Economic Development, David G. Dobson, (915) 541-4674]

1. Submission of Level 1 and 2 Intake Forms and the "Mayor and City Council Economic Development-General Prospect Data Form" to allow for adaptation to specific project requirements and details.
2. Review of prospective projects by the Legislative Review Committee for Economic and Community Development.
3. Recommendation to the Mayor and City Council with regard to each prospect project, with consideration of any given project by the Legislative Review Committee and by the Mayor and City Council to be on a confidential basis. All matters related to an individual prospect would remain confidential until such time as an agreement to provide incentives would be considered for approval by the Mayor and City Council, in accordance with the provisions of Section 551.087 of the Open Meetings Act (TEX. GOV'T CODE ANN. § 551.087 (West 2004)), concerning deliberations regarding economic development negotiations with business prospects.

3C. That the City Manager be authorized to sign a Temporary Construction Easement for a portion of Lot 16, Block 6, Richmar Unit 4 and H.F. Fisher Survey, Abstract 38, Portion of Tract 34-A-5, El Paso, El Paso County, Texas, which easement is needed for the Rocky Bluff Drainage Improvement Project. **(District 1)** [Engineering Department, Rick Conner, (915) 541-4200]

- 3D.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of MUSEUMS AND CULTURAL AFFAIRS DIRECTOR is hereby created as specified in the duties and responsibilities attached hereto. The Code is 5170. The Grade is EX C.
Salary Range: \$75,848.26 - \$119,341.06 (EX C)
Fund Source: 55010299-01101-55000
[Human Resources, Linda B. Thomas, (915) 541-4509]
- 3E.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of CULTURAL FUNDING AND TECHNICAL ASSISTANT COORDINATOR is hereby created as specified in the duties and responsibilities attached hereto. The Code is 5178. The Grade is PM 74.
Salary Range: \$33,134.61 - \$48,036.77 (PM 74)
Fund Source: 55010299-01101-55000
[Human Resources, Linda B. Thomas, (915) 541-4509]
- 3F.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of ARTS PROGRAMS AND EDUCATION SPECIALIST is hereby created as specified in the duties and responsibilities attached hereto. The Code is 5487. The Grade is PM 75.
Salary Range: \$34,751.35 - \$50,722.63 (PM 75)
Fund Source: 55010299-01101-55000
[Human Resources, Linda B. Thomas, (915) 541-4509]
- 3G.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of MARKETING AND CULTURAL TOURISM COORDINATOR is hereby created as specified in the duties and responsibilities attached hereto. The Code is 5172. The Grade is PM 73.
Salary Range: \$31,596.39 - \$45,488.71 (PM 73)
Fund Source: 55010299-01101-55000
[Human Resources, Linda B. Thomas, (915) 541-4509]
- 3H.** That the City Manager be authorized to sign a Combined Declaration of Use In Commerce/Application for Renewal for the SWIMMING - IT'S A LIFE PRESERVER registration with the United States Patent and Trademark Office.
[Parks and Recreation, Norman Merrifield, (915) 541-4331]
- 3I.** Placing a lien on the following properties (legal description on file with the City Clerk) and in the following amounts for work performed by the City pursuant to Chapter 9.04 (Solid Waste Management).
[Solid Waste Management, Ellen A. Smyth, (915) 621-6719]
- | | | |
|----------------------------------|-----------|-------------------|
| 1. 645 La Chapa
(District 1) | \$ 281.45 | O. Jaime Lugo |
| 2. 741 Kapriz
(District 1) | \$ 573.73 | Ladislada Guerra |
| 3. 623 Tepic
(District 1) | \$ 227.33 | Cherie L. Hickman |
| 4. 3001 Harrison
(District 2) | \$ 400.53 | Mary T. Cash |
| 5. 3801 Pierce
(District 2) | \$ 313.93 | Jose Gutierrez |

6. 2700 Porter (District 2)	\$ 178.61	Manuela Alvarado
7. 2521 Richmond (District 2)	\$ 211.09	Caroline L. Farmer
8. 3729 Findley (District 3)	\$ 213.79	C.J. Macias
9. 2801 Prestwick (District 3)	\$ 119.08	Nuway Property Investments, L.L.C.
10. 11308 Sundance (District 5)	\$ 316.63	Gerardo & Elvia Salcido
11. 1451 Rudy Montoya (District 6)	\$ 227.33	Rosario E. Cortez
12. 9173 Socorro (District 6)	\$1,688.70	Ignacio Padilla
13. 11506 James Grant (District 6)	\$ 357.23	Rosie Castillo
14. 3400 Frutas (District 8)	\$ 184.03	Roberto Ochoa
15. 820 S. Park (District 8)	\$ 189.44	Hector L. Nevarez (TR)
16. 1023 E. River (District 8)	\$ 351.81	Juan Acuna, Jr.
17. 1812 Yandell (District 8)	\$ 189.44	Jorge Sanchez

4. **REINSTATEMENT:** Request for name to be placed on Reinstatement List in accordance with Article VI, Section 6.10.10, of the Civil Service Charter Provisions:

Hernandez, Miguel – Museum

[El Paso Museum of Art, Amy Reed, (915) 532-1707]

5. Appointment of Carolyn J. (Cindy) Crosby as Assistant City Attorney effective September 19, 2005. [City Attorney, Charlie McNabb, (915) 541-4550]

6. **BOARD RE-APPOINTMENTS:**

6A. John Neal to the City Plan Commission by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]

6B. Tom Brown to the Public Utility Regulation Board by Representative Presi Ortega, Jr., District 5. [Representative Presi Ortega, Jr., (915) 541-4189]

6C. Fred Gromand to the City Accessibility Advisory Committee by Representative Presi Ortega, Jr., District 5. [Representative Presi Ortega, Jr., (915) 541-4189]

7. **BOARD APPOINTMENT:**

Michael Flores to the Committee on Border Relations requested by Representative Presi Ortega, Jr., District 5. [Representative Presi Ortega, Jr., (915) 541-4189]

8. Request that the Director of Purchasing be authorized to issue a Purchase Order to DeChant Consulting Services - DCS Inc. Total Amount \$39,180.00. iWitness is a sole source for photogrammetric software on the market that is specific to accident scene investigation, mapping and reconstruction.

The Police departments in Washington State, Utah State, and Arizona State are pleased with the results from this software. It has lead the Washington State Police, Utah State Police, and Arizona State Police to report an approximate 60% reduction in traffic accident scene clearance resulting from the acquisition of the iWitness program. The City of El Paso Police Department desires to implement this software program and will be monitoring results over the next 12 months to evaluate, continuing this as a planned program within the department. This software will include twelve (12) licenses.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the City Manager be authorized to execute any related contract documents and agreements necessary during the contract.

Award amount is \$39,180.00

Funds available in: 21150007-05817-508007 Grant TXDOT G210521

Funding Source: Police, Photogrammetry, Public Safety Equipment

Department: Police

[Purchasing Department, Ray Heredia, (915) 541-4316]

9. Request that the Director of Purchasing be authorized to exercise the City's option to extend the term of the agreement for One (1) additional year, from September 14, 2007 to September 14, 2008 pursuant to the provisions of Contract 2004-238 with El Paso Bolt & Screw Co, Inc., El Paso, Texas for Auto Parts Price List-Hardware & Fasteners.

Option No.: ONE [OF ONE]

Amount of Award: \$15,000.00 (total one year extension)

Account No's: 37370155-503125-45202

Funding Source: Fleet Service Internal Service Fund

Department: Fleet Service

[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

10. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

10A. Solicitation No.: 2005-185 Repair Service-Auto Radiators and Tanks

Award to: Vendor 1: Emmett Radiator Service, Inc.
El Paso, Texas

Item(s): Group I, V & VI

Amount: \$25,000.00 (estimated annually)

Award to: Vendor 2: Duran's Radiator Shop
El Paso, Texas

Item(s): Group II, III & IV

Amount: \$25,000.00 (estimated annually)

Department: Fleet Services

Funds available: 37370510-503125-45202

Funding source: Fleet Services Internal Service Fund

Total award: \$150,000.00 (estimated)

District (s): All

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Additionally, Vendor 1 offers the City a prompt payment discount of 2% ten days.

10B.	Solicitation No.: 2005-230	ADA Compliance, Districts 2 & 3
	Contractor:	CSA Engineers and Constructors El Paso, TX
	Department:	Parks and Recreation
	Funds Available:	14200406-PBE04MF101-29165-508027
	Funding Source:	2004 Bond Election
	Items:	Base Bid II \$10,532.16 (estimated)
	Total Award:	\$10,532.16 (estimated)
	District (s):	3

The Departments of Engineering and Parks and Recreation recommend the award of this contract to CSA Engineers and Constructors, the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and staff be authorized to execute budget transfers for this award and project, as necessary.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

That the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order and 25% of the original contract price as awarded, without further authorization by City Council.
[Purchasing Department, Byron Johnson, (915) 541-4308]

10C.	Solicitation No.: 2005-239	Mobile Air Purification Systems
	Award to:	Owens & Minor, Inc.
		Phoenix, AZ
	Amount:	\$43,575.00
	Department:	El Paso Fire Department
	Funds available:	22150024-508012-07168-G220504
	Funding source:	Metropolitan Medical Response System Grant
	Total award:	\$43,575.00
	District (s):	All

6

This is a fixed-price, single (one-time) purchase, to purchase six (6) Mobile Air Purification Systems. There is also an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract.

No prompt payment discount is offered.

[Purchasing Department, Monica Vera, (915) 541-4234]

- 10D.** Solicitation No.: 2005-244 Storm Drain Grates
Award to: Lone Star Welding
 El Paso, TX
Amount: \$29,003.00 (estimated annually)
- Department: Municipal Services - Street Department
Funds available: 32010160-01101-502215
Funding source: Operating Account, Outside Contracts - NOC
Total award: \$58,006.00 (estimated)
District (s): **All**

Street Department and Purchasing recommend award as indicated as this is the only responsive bid meeting specifications.

This is a twenty-four (24) month contract with the option to renew one (1) additional year. [Purchasing Department, Ray Heredia, (915) 541-4316]

11. BUDGET TRANSFER: [Office of Management and Budget, David Almonte, (915) 541-4011]

BT2005-1414 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$240,657.82 from an Unallocated CO FY03 project to a new project for Lane Markings. Funding source is 2003 COs.

(All Districts)

Decrease	\$240,657.82	from	31260001/P81000260663/508027	Construction
Increase	\$240,657.82	to	31260001/PST0500360663/508027	Construction

12. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

- 12A.** Gary Souza to block off Tierra Tigre between 12613 and 12657 on August 27, 2005 from 6:00 p.m. to 11:00 p.m. for a block party. Approximately 100 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (2 speakers and 2 amplifiers).

PERMIT # 05-104 [Gary Souza] **(District 5)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 12B.** Greater El Paso District to hold a 5K run, walk and wheelchair race on October 1, 2005 from 6:00 a.m. to 10:00 a.m. Route: Start on Juniper in between Ponder Park – 7500 W. H. Burges and Edgemere to Edgemere, turn right on Edgemere to Sunburst, turn left on Sunburst to Edgemere, turn left on Edgemere to Catalina Way, turn left on Catalina Way to Edgemere, turn left on Edgemere to Juniper, turn right on Juniper and finish on Juniper close to Ponder Park – 7500 W. H. Burges. Approximately 200 persons will take part and 50 spectators are anticipated. This request includes permission to use amplification (1 amplifier, 1 speaker and 1 microphone). PERMIT # 05-105 [Loretta Dillon] **(District 3)**
NO OBJECTIONS FROM FIRE, SUN METRO, PARKS AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 8 OFFICERS AND 8 VEHICLES. ESTIMATED COST TO CITY: \$426.00; ESTIMATED COST TO APPLICANT: \$374.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.
- 12C.** Riverside High School to hold a homecoming parade on September 8, 2005 from 6:00 p.m. to 7:00 p.m. Route: Start at the school parking lot on Midway and Knights, proceed on Knights to Jersey, turn left on Jersey to Bernadine, turn left on Bernadine to Knights, turn right on Knights and finish at the school parking lot. Approximately 250 persons, 25 vehicles, 5 floats and 1,000 spectators are anticipated. [PERMIT # 05-106] Jan L Herron] **(Districts 3 and 7)**
NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 6 OFFICERS AND 6 VEHICLES. ESTIMATED COST TO CITY: \$291.00 ESTIMATED COST TO APPLICANT: \$159.00. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.
- 12D.** Maggie Feagin to block off Fernwood between 5512 and 5520 on August 27, 2005 from 5:00 p.m. to 11:00 p.m. for a block party. Approximately 25 persons will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". Permit # 05-107 [Maggie Feagin] **(District 1)**
NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

REGULAR AGENDA

13. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

**Public comment typically is not taken during the introduction of ordinances.
Public comments are invited at the date of the scheduled public hearing.**

- 13A.** An Ordinance amending Title 12 (Vehicles and Traffic), Charter 12.88 (Schedules), Section 12.88.040 (Schedule IV, Parking Prohibited During Certain Hours on Certain Hours on Certain Streets), Paragraph J (No Parking 7:00 A.M. to 4:00 P.M.), of the El Paso Municipal Code, to: (i) Amend Subsection 4 to Read the Entire Length of Frank Cordova Circle, both sides, all of Mike Andrade Place, and all of Luis Gomez Place; and, (ii) To Add a New Subsection to include Firehouse Drive from Montwood Drive to Saul Kleinfeld, east side only.
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035 and Representative Eddie Holguin, Jr., (915) 541-4178]

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 6, 2005 FOR ITEM 13A

- 13B.** An Ordinance changing the zoning of Lot 1, Block 3, Womble Addition, El Paso, El Paso County, Texas from A-O (Apartment Office) to C-1 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: El Paso's Federal Credit Union. Location: 5900 Trowbridge. ZON05-00066 **(District 3)**
[Planning, Research and Development, Christina Valles, (915) 541-4930]

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 13, 2005 FOR ITEM 13B

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

14. MAYOR AND COUNCIL:

- 14A.** Approval of El Paso County 911 District FY05-06 budget to be presented by Joseph Lorkowski, Director of El Paso County 911 District.
[Mayor John F. Cook, (915) 541-4015]
- 14B.** Discussion and action issuing a resolution that henceforth the Lower Valley should be referred to as **Mission Valley** in official City communications and correspondence. [Representative Eddie Holguin, Jr., (915) 541-4178]
- 14C.** Discussion and action on a resolution
1. That the City of El Paso strongly opposes the establishment of any "Minutemen" installments, or affiliated groups, in the City of El Paso.
 2. That the City of El Paso opposes the return of Chris Simcox and the members and supporters of the Minutemen Defense Corps to El Paso for purposes relating to the promotion of such groups.
[Representative Steve Ortega, (915) 541-4124 and Representative Beto O'Rourke, (915) 541-4123 and Representative Eddie Holguin, Jr., (915) 541-4182]

15. BUDGET TRANSFER: [Office of Management and Budget, David Almonte, (915) 541-4011]

BT2005-1490 BUILDING & PLANNING SERVICES

Building and Planning Services proposes to appropriate \$555,585.73 to Central Business District Phase III for water and sewer relocations. Funding source is reimbursed expenditures from EPWU. **(District 8)**

Increase	\$555,585.73	to	31255008/PPWST0300127695/405067	ReimbExp
Increase	\$555,585.73	to	31255008/PPWST0300127695/508027	Construction

16. PLANNING, RESEARCH AND DEVELOPMENT:

Discussion and action on petition submitted by Ranchos Real IV, LTD requesting that the El Paso City Council consent to the inclusion of land in, or the creation of, a conservation and reclamation district under either Chapters 51 and/or 54, Texas Water Code (the "Code Chapters" or by special act of the Texas Legislature (the "Act"). The land proposed for inclusion is 2,019.731 acres and the name of the proposed district is Tierra Del Este Municipal Utility District.

[Planning, Research and Development, Rudy Valdez, 541-4635]

17. INTRODUCTION AND PUBLIC HEARING: [Bond Counsel, Paul Braden, (915) 544-9997]
FINANCIAL AND ADMINISTRATIVE SERVICES

An Ordinance authorizing the issuance of "City of El Paso, Texas, Combination Tax And Revenue Certificates of Obligation, Series 2005" in a par amount not to exceed \$17,635,000; providing for the payment, terms and conditions of such certificates and resolving other matters incident and related to the issuance, payment, security, sale, and delivery of said certificates and providing an effective date.

18. PUBLIC HEARINGS – FINANCIAL AND ADMINISTRATIVE SERVICES:

[Financial and Administrative Services, Gonzalo Cedillos, (915) 541-4074]

18A. An Ordinance authorizing the City of El Paso to sell a portion of Lots 1, 2, and 3, Block B, Hadlock Addition, (which is commonly known as 4610 through 4614 Alameda Ave., 4626 Alameda Ave., and 103 N. Fullan St.), City of El Paso, El Paso County, Texas to the El Paso Independent School District. **(District 3)**

18B. An Ordinance authorizing the City of El Paso to sell a portion of Lots 17-32, Block 15, Summit Place Addition, and a portion of Tract 8, Section 22, Block 81, Township 2, Texas and Pacific Railway Co. Surveys, El Paso, El Paso County, Texas to the El Paso Independent School District. **(District 2)**

18C. An Ordinance authorizing the City of El Paso to sell a 0.173 acre parcel of land, more or less, being a portion of Lots 8-10, Block 4, Third Amended map of Highland Park Addition, El Paso, El Paso County, Texas to the El Paso Independent School District. **(District 8)**

19. PUBLIC HEARING – HUMAN RESOURCES:

[Human Resources, Linda Ball Thomas, (915) 541-4102]

An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, To Add A New Rule addressing, Working Out Of Class for Civil Service Employees.

20. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

20A. Discussion and action on a resolution that the City convert certain municipally owned land to use as a municipal roadway to be named "Golf Course Road," such land located within a portion of Lot 1, Block 2, Butterfield Trail Aviation Park Unit Two, and a portion of Section 27, Block 80, Township 2, Texas & Pacific Railroad Company Surveys, El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the attached Exhibit "A". Applicant: City of El Paso, Texas. DD05003 **(District 2)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

20B. Discussion and action on a resolution that the City convert certain municipally owned land to use as a municipal roadway to be named "Rick Husband Drive," such land located within a portion of Section 30, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the attached Exhibit "A". Applicant: City of El Paso, Texas. DD05002 **(District 4)**

[Planning, Research and Development, Fred Lopez, (915) 541-4925]

20C. An Ordinance vacating a .102-acre portion of Wright Avenue right-of-way, Third Amended Map of Highland Park Addition, City of El Paso, El Paso County, Texas. **(District 8)** [Planning, Research and Development, Rudy Valdez, 541-4635]

- 20D.** An Ordinance granting Special Permit No. ZON05-00038, to allow for a parking reduction on the property described as Lots 1 through 5 and a portion of Lot 6, Block 106 ½, Highland Park Addition, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Plaza Properties. ZON05-00038 **(District 2)** POSTPONED FROM 07/26/05 AND 07/19/05 [Planning, Research and Development, Christina Valles, (915) 541-4930]
- 20E.** An Ordinance changing the zoning of the North 138.00 feet of Lot 9 and the West half of Lot 10, Block 7, North Loop Gardens Unit 1, El Paso, El Paso County, Texas from A-2 (Apartment) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Eduardo and Adriana Barboza. Location: 510 East Road. ZON05-00029 **(District 7)**
NOTE: THIS IS AN APPEAL CASE.
[Planning, Research and Development, Christina Valles, (915) 541-4930]
- 20F.** An Ordinance changing the zoning of a portion of Lot 2, Block 46, Sun Ridge Subdivision Unit 12, El Paso, El Paso County, Texas from A-O/SC (Apartment-Office/Special Contract) to C-2/SC (Commercial/Special Contract). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Three Amigos Investments. Location: 2100 Block of N. Zaragoza. ZON05-00047 **(District 6)** [Planning, Research and Development, Christina Valles, (915) 541-4930]
- 20G.** An Ordinance changing the zoning of Tract 16-P-1-A, Block 36, Ysleta Grant, El Paso, El Paso County, Texas from R-4 (Residential) to A-O (Apartment-Office). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Christy & Esteban Armendariz. Location: 8553 Alameda. ZON05-00050 **(District 7)**
[Planning, Research and Development, Christina Valles, (915) 541-4930]
- 20H.** An Ordinance changing the zoning of Lot 10, Block 23, Cooperstown Subdivision Unit 2, El Paso, El Paso County, Texas from A-O/SC (Apartment-Office/Special Contract) to C-1/SC/C (Commercial/special contract/conditions). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: David Scepanski. Location: 5270 Sean Haggerty. ZON05-00051 **(District 4)**
[Planning, Research and Development, Christina Valles, (915) 541-4930]
- 20I.** An Ordinance changing the zoning of Lots 1, 2 and 3, Block 1, Duenas Subdivision, El Paso, El Paso County, Texas from R-4 (Residential) to R-5 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Joaquin Santoyo. Location: 5301, 5305 and 5309 Thorn Avenue. ZON05-00054 **(District 1)**
[Planning, Research and Development, Christina Valles, (915) 541-4930]
- 20J.** An Ordinance changing the zoning of Tract 2A, Block 1, Ysleta Grant and Tract 3B, Block 56, Ysleta Grant, El Paso, El Paso County, Texas from R-F (Ranch-Farm) to C-3 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Ben L. Ivey LTD. Location: 700-900 Blocks of Americas Blvd. ZON05-00055 **(District 6)**
[Planning, Research and Development, Christina Valles, (915) 541-4930]

- 20K.** An Ordinance changing the zoning of all of Lot 17 and the East 6.25 feet of Lot 18, Block 44, Supplemental Map No. 1 of East El Paso, El Paso, El Paso County, Texas from A-3 (Apartment) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Antonio Frank San Roman. Location: 3330 Gateway East. ZON05-00056 (**District 8**)
[Planning, Research and Development, Christina Valles, (915) 541-4930]

21. PUBLIC HEARINGS – POLICE DEPARTMENT:

[Police Department, Assistant Chief Paul Cross, (915) 564-7310]

- 21A.** An Ordinance amending Title 5 (Business Taxes, Licenses, and Regulations), Chapter 5.36 (Gasoline Filling Stations) of the El Paso Municipal Code to amend and add provisions relating to definitions, requirement that all gasoline filling stations must receive payment for fuel prior to allowing dispensing of fuel; suspension and revocation of license; the penalty being as provided in Section 1.08.010 to 1.08.030 of the El Paso Municipal Code.
- 21B.** An Ordinance amending Title 5 (Business Taxes, Licenses, and Regulations), Chapter 5.90 (Security Alarm Systems) of the El Paso Municipal Code to amend the provisions relating to definitions, applicants, permits, permit fees and renewal of permits; reporting of alarm signals; revocation procedure; assessment of certain penalties against alarm system users; the penalty being as provided in Section 1.08.010 to 1.08.030 of the El Paso Municipal Code.

22. CITY MANAGER: [City Manager, Joyce A. Wilson, (915) 541-4844]

City Manager's report of current events and issues.

- 23.** The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 23A.** Litigation against Asarco to collect the costs of remediating properties in and around the El Paso metals site. (551.071) **POSTPONED FROM 08/16/05**
[City Attorney's Office, James A. Martinez, (915) 541-4550]
- 23B.** Workers' Compensation Subrogation Interest Regarding Antonio Mendoza. (551.071) [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
POSTPONED FROM 08/16/05
- 23C.** Workers' Compensation Subrogation Interest Regarding Scott Wakefield Graves. (551.071) [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
POSTPONED FROM 08/16/05

- 23D.** ASARCO Incorporated Air Quality Permit No. 20345; TCEQ, Docket No. 2004-0049-AIR. (551.071) [City Attorney's Office, James A. Martinez, (915) 541-4550]
- 23E.** ASARCO Particulate Reduction Contract. (551.071)
[City Attorney's Office, James A. Martinez, (915) 541-4550]
- 23F.** *Frank Lopez, et. al. vs. City of El Paso, et al*; Cause No. EP-05-CA-0009-FM in the United States District Court for the Western District of Texas. (551.071)
[City Attorney's Office, James A. Martinez, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

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